

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§
	§ 1:17CR153(3)
v.	§ Judge Thad Heartfield
	§
MIGUEL GERARDO RODRIGUEZ (3)	§
	§

FACTUAL BASIS AND STIPULATION

The United States of America, presents to the Court, by and through the undersigned Assistant United States Attorney in and for the Eastern District of Texas, joined by the defendant, **Miguel Gerardo Rodriguez** and the defendant's attorney **David Grove**, and presents this factual basis and stipulation in support of the defendant's plea of guilty to Count One of the information, and in support thereof, would show the following:

1. That the defendant hereby stipulates and agrees to the truth of all matters set forth in this factual basis and stipulation, and agrees that such admission may be used by the Court in support of his plea of guilty to:
 - Count One of the information, which charges a violation of 21 U.S.C. § 846, conspiracy to possess with the intent to distribute a Schedule II controlled substance, namely 5 kilograms or more cocaine HCL;
2. That the defendant, who is pleading guilty to such information, is one and the same person charged in the information.
3. That the events described in the information occurred in the Eastern District of

Texas and elsewhere.

4. That had this matter proceeded to trial, the government, through the testimony of witnesses, including expert witnesses, and through admissible exhibits, would have proven, beyond a reasonable doubt, each and every essential element of the offense alleged in the information; specifically, the government would have proven the following stipulated facts:

- a. In December 2013, DEA Galveston Resident Office agents established a Cooperating Source (“CS1”) who provided information into the drug trafficking activities of Alvaro Romero. CS1 advised that Romero obtained narcotics from a source in the Rio Grande Valley, had them transported to the Houston area, and then distributed them through the Eastern District of Texas to Lake Charles, Louisiana, and other locations further east.
- b. CS1 advised that before becoming a CS, he/she had purchased approximately two hundred and fifty (250) pounds of marijuana and eight (8) kilograms of cocaine from Romero.
- c. On January 8, 2014, agents did a buy walk for three pounds of marijuana using the CS1. Romero sold the CS1 three pounds of marijuana for \$1,500. Romero also told the CS1 that he had sold six kilograms of cocaine that week. The transaction happened at Romero’s stash house at 558 Dale Street, Houston, Texas 77060.
- d. On January 23, 2014, agents did a second buy walk with CS1 and Romero for an additional three (3) pounds of marijuana for \$1,500.
- e. On January 25, 2014, Romero contacted the CS1 and said he would be traveling south to bring back cocaine. On January 28, 2014, Romero contacted CS1 and said he had picked up five kilograms of cocaine.
- f. Based on these calls, Title III wire and electronic interceptions began.
- g. During the initial round of interception, agents learned of Arturo Elizondo and Miguel Gerardo **Rodriguez** supplied Romero.

- h. During the course of the wire and electronic interceptions, **Rodriguez** was involved with the following drug amounts during the following sessions and/or exhibits:

Date	Phone	Session(s)/Exhibit(s)	Amount
March 4, 2014	281-889-4897	84, 94, 193, 237, 471, 508	6.54 kilograms of methamphetamine actual 2.18 kilograms cocaine HCL
April 21, 2014	CS	N-20	56 grams cocaine HCL
May 7, 2014	832-987-6066	43, 120	224 grams cocaine HCL
May 10, 2014	832-987-6066	319	18.144 kilograms marijuana
May 14, 2014	832-987-6066	684, 692	252 grams cocaine HCL
May 19, 2014	832-987-6066	1283, 1302, 1365, 1636, 1655, 1662, 1663	2.268 kilograms marijuana
May 22, 2014	832-987-6066	1665	35 grams cocaine HCL
May 26, 2014	832-987-6066	1322, 1450, 1578, 1858, 2009, 2059, 2069, 2177	7.121 kilograms methamphetamine

- i. Agents made the following seizures:

Date	Location	Co-conspirator(s)	Contraband
February 25, 2014	Beaumont, TX	Courier 1 Romero Elizondo	0.5 kg cocaine
March 2, 2014	Kingsville, TX	Courier 2 Courier 3 Romero Alonso Rodriguez	2.18 kg cocaine 6.54 kg methamphetamine actual
April 17, 2014	Friendswood, TX	FNU LNU Alonso	2 ounces methamphetamine actual

May 26, 20014	Sarita, TX	Lopez Romero Rodriguez	7.12 kgs methamphetamine actual
June 6, 2014	West Houston, TX	Jose Rubio Ines Rubio Aviles Worrell	15 kg cocaine HCL discussed 10 kg seized
June 10, 2014	Houston TX	Jose Rubio Worrell	(SW of Jose Rubio's home) 1 assault rifle 2 handguns Body armor Note from Worrell about June 6 event
July 10, 2014	Kingsville, TX	Courier 4 Alonso	2.4 kg cocaine HCL

- j. Through the course of the conspiracy, **Rodriguez** was personally responsible for distributing and agreeing to distribute 2.74 kilograms of cocaine HCL, 13.676 kilograms of a mixture or substance containing methamphetamine, and 20.412 kilograms of marijuana.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

5. I have read this factual basis and stipulation and information or have had them read to me and have discussed them with my attorney. I fully understand the contents of this factual basis and stipulation and agree without reservation that the United States can prove each of these acts and that it accurately describes the events about my acts and the events as recited as I know them.

Dated: 4-2-19


MIGUEL GERARDO RODRIGUEZ
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this factual basis and stipulation and the information and have reviewed them with my client, **Miguel Gerardo Rodriguez**. Based upon my discussions with the defendant, I am satisfied that the defendant understands the factual basis and stipulation as well as the information, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: 4/2/2019



DAVID GROVE
Attorney for the Defendant

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY



CHRISTOPHER RAPP
Assistant United States Attorney
Eastern District of Texas
350 Magnolia, Suite 150
Beaumont, Texas 77701
(409) 839-2538
(409) 839-2550 Fax
Arizona Bar No. 025704